



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**

(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

**Agency:** Department of Social and Health Services, Aging and Disability Services Administration

**Subject of possible rule making:**

Chapter 388-96 WAC Nursing facility Medicaid payment system.

**Statutes authorizing the agency to adopt rules on this subject:**

Chapter 74.46 RCW

**Reasons why rules on this subject may be needed and what they might accomplish:**

The department is amending this chapter to:

- Amend or adopt rules to govern accounts receivable audits addressing requirements of the nursing home, overpayments, and interest.
- Amend WAC 388-96-366 (3) to increase amount of a resident's funds that a nursing home must deposit from \$50 to \$100.
- Adopt a definition of "Direct Care Supplies" in WAC 388-96-010.
- Adopt a new section about re-calculating the direct care rate when a nursing home unbanks beds addressing what days to use. [RCW 74.46.431 (13)]
- Amend sections to clarify when minimum occupancy will be used in setting the component rates
- Clarify regulations by codifying current policies and practices and editing previous codifications for substance and form. All sections may be amended.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**

None

**Process for developing new rule (check all that apply):**

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe)

DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the Office of the Code Reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.) Contact:

Patricia Hague  
Aging and Disability Services Administration  
P.O. Box 45600, Mailstop 45600  
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**DATE**

December 6, 2006

**NAME (TYPE OR PRINT)**

Andy Fernando

**SIGNATURE**

**TITLE**

Manager, Rules and Policies Assistance Unit

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STATE OF WASHINGTON  
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**DATE: December 06, 2006**

**TIME: 8:36 AM**

**WSR 06-24-112**